



March 7, 2007

## **H.R. 700 - Healthy Communities Water Supply Act of 2007**

### **Floor Situation**

H.R. 700 is being considered on the floor under a modified open rule with a preprinting requirement for amendments. The rule provides for 1 hour of debate equally divided and controlled by the Chairman and Ranking Member of the Committee on Transportation and Infrastructure.

The rule waives all points of order against consideration of the bill except for clauses 9 (earmarks) and 10 (PAYGO) of Rule XXI.

The rule provides one motion to recommit with or without instructions.

This legislation was introduced by Representative Jerry McNerney (D-CA) on January 29, 2007. The bill was ordered to be reported as amended from the Committee on Transportation and Infrastructure, by voice vote, on February 7, 2007.

H.R. 700 is expected to be considered on March 8, 2007.

### **Summary**

H.R. 700 amends section 220 of the Federal Water Pollution Control Act (the Clean Water Act) by granting a one-time reauthorization of \$125 million for alternative water source projects. This authorization comes without any fiscal year restraints and grants can be disbursed as decided by the Environmental Protection Agency (EPA).

### **Background**

The Clean Water Act (Public Law 92-500) set basic guidelines for regulating discharges of pollutants into the water of the United States. The Act gave the EPA the ability to execute pollution control programs such as setting wastewater standards for industry.

Alternative water source projects enhance water supplies by reusing or treating wastewater and are defined as “a project designed to provide municipal, industrial, and agricultural water supplies in an environmentally sustainable manner by conserving, managing, reclaiming, or reusing water or wastewater or by treating wastewater.”

Congress amended the Clean Water Act by passing S. 835 in 2000 (Public Law 106-457). S. 835 amended the Clean Water Act by adding section 220, which authorized \$75

million for the EPA to make grants for alternative water source projects for fiscal years 2002 through 2004, and this authorization has expired. S. 835 passed the House of Representatives by voice vote on October 25, 2000.

In the 109<sup>th</sup> Congress, the House Committee on Transportation and Infrastructure reported out of committee identical legislation, H.R. 1359, offered by Jim Davis (D-FL) by a voice vote, on July 13, 2005. The original text of the bill included fiscal year constraints and an amendment in the nature of a substitute was adopted in committee which did not contain fiscal year constraints. The reported version of H.R. 1359, as amended, is the text of H.R. 700.

### **Amendments Preprinted in the Congressional Record on Tuesday, March 6, 2007**

These amendments may be offered on the Floor during debate on H.R. 700.

Please contact the offices of amendment sponsors for additional information or the text of an amendment.

*\*Note: [GOP.gov](http://GOP.gov) will post updates as amendments are offered on the floor during consideration of H.R. 700.*

**(#1) Rep. Price (R-GA)** The amendment applies PAYGO to the legislation by requiring all spending in the bill to be offset with decreases in spending.

**(#2) Rep. Rohrabacher (R-CA)** The Amendment establishes a prerequisite for grant eligibility of the recipient State or municipality's willingness to "impose conditions requiring that all persons including contractors and subcontractors carrying out activities" using grant funds participate in the employment eligibility verification pilot program described in section 403(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996.

**(#3) Reps. Conaway (R-TX) and Shuler (D-NC)** The amendment would provide for additional consideration being given to rural communities in areas that are served by a public water system serving 10,000 or fewer individuals.

**(#4) Rep. Kucinich (D-OH)** The Amendment requires that any water product created from an advanced water source project may not be sold in containers smaller than 20 liters (5.7 gallons).

**(#5) Rep. Sessions (R-TX)** The amendment would change the open-ended authorization for \$125 million for EPA grants for alternative water source projects currently provided for by the legislation and would replace this open-ended authorization with a requirement that if these funds, if appropriated, be spent in FY 2007-2008.

**Views**

“The Administration opposes H.R. 700, which would reauthorize a pilot program that Congress has never funded, to provide grants for certain alternative water source projects.

“The bill’s authorization of \$125 million for this pilot program is unrealistic in the current fiscal environment and unnecessary given other Federal funding sources that may be available for such projects.” Statement of Administration Policy on H.R. 700, released on March 6, 2007.

**Cost**

The Congressional Budget Office estimates that implementing H.R. 700 would cost \$86 million over the 2007-2012 period, assuming appropriation of the authorized amount.

**Staff Contact:**

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